

**NATIONAL COMPANY LAW TRIBUNAL
DIVISION BENCH, COURT – II
CHENNAI**

ATTENDANCE CUM ORDER SHEET OF THE HEARING OF NATIONAL COMPANY LAW TRIBUNAL, CHENNAI BENCH, HELD ON 01-05-2024 AT 10.30 A.M. THROUGH VIDEO CONFERENCING:

**PRESENT : SHRI. JYOTI KUMAR TRIPATHI, HON'BLE MEMBER (JUDICIAL)
SHRI. RAVICHANDRAN RAMASAMY, HON'BLE MEMBER (TECHNICAL)**

APPLICATION NUMBER : --

PETITION NUMBER : CP(CA)/80(CHE)/2022

NAME OF THE PETITIONER : P A Devendra Das (Rajalakshmi Stocks & Shares Pvt Ltd)

NAME OF THE RESPONDENT(S) : Rajalakshmi Stocks & Shares Pvt Ltd & Anr

UNDER SECTION : Sec 271(d),271(e) & 275 of CA, 2013

ORDER

Ld. Counsel Mr. A.M. Sridharan for the Petitioner. Ld. Counsel Mr. Avinash Krishnan Ravi for ROC.

In this case the Applicant has sought winding up of the company under Section 271(d), 271(e) and Section 275 of the Companies Act, 2013.

The report of the ROC received on 11.08.1983 sought impleading The Coimbatore Enterprises & Holdings Limited as party to the pleadings. There are no other substantive objections in the ROC report except non-filing of statutory returns since 2003 -04.

Respondent no.3 in their memo dated 20.03.2024 stated that the sum payable to M/s. Rajalakshmi Stocks and Shares Private Limited is Rs.48,40,376/-and amount will be paid by Foundation one infrastructure private limited subject to restoration of M/s. Rajalakshmi Stocks and Shares Private Limited.

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On this, Counsel for the Petitioner had objections and stated that there is no necessity to restore the company as there is no business activity and restoration only for the purpose of receipt of the monies due is not going to serve the purpose of restoration.

Therefore the Petitioner sought winding up of the company. Petitioner is directed to file a memo.

Counsel for ROC has nothing more to add other than the report filed earlier.

List the petition for hearing on **26.06.2024**.

-Sd-

RAVICHANDRAN RAMASAMY
Member (Technical)

-Sd-

JYOTI KUMAR TRIPATHI
Member (Judicial)

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